IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5386 OF 2004

Chunilal G.Dharmavat. ...Petitioner.

Vs.

Prabhakar S.Dhole. ...Respondent.

.....

Mr.V.G.Mujumdar for the Petitioner.

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CORAM : DR.D.Y.CHANDRACHUD, J.

June 5, 2006.

P.C. :

There is a concurrent finding that the premises were required bonafide by the landlord for the use and occupation of the members of his family. The Appellate Court noted that during the pendency of the suit, the sons of the landlord were married. It has also been found that the landlord is in occupation of residential accommodation at Sadashiv Peth consisting of only one room. That apart, the impugned order of the Additional District Judge dated 21st November 2002 was sought

to be challenged by instituting this petition on 9th April 2003. The decree for eviction has already been executed. In any event, there is no reason for this Court to exercise its extraordinary jurisdiction under Article 227 to interfere with the concurrent findings of fact in the case. There is no merit in the petition which is accordingly dismissed.

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